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Finance, LLC*

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

BLACK DIAMOND COMMERCIAL FINANCE, LLC,

Plaintiff,

v.

VIRGINIA CONSERVATION LEGACY FUND, INC.
and ERP COMPLIANT FUELS, LLC,

Chapter 11

Case No. 15-32450 (KLP)

Jointly Administered

Adv. Proc. No. 16-03105 (KLP)

Defendants.

VIRGINIA CONSERVATION LEGACY FUND, INC.
and ERP COMPLIANT FUELS, LLC,

Counterclaim-Plaintiffs,

v.

BLACK DIAMOND COMMERCIAL FINANCE, LLC,

Counterclaim-Defendant.

BLACK DIAMOND’S DEPOSITION COUNTER-DESIGNATIONS

Pursuant to the Court’s Final Pretrial Conference Order (Dkt. No. 258), plaintiff/counterclaim-defendant Black Diamond Commercial Finance, LLC (“Black Diamond”) submits its deposition counter-designations. Black Diamond’s deposition counter-designations are attached hereto as **Exhibit A**. Excerpted transcripts of Black Diamond’s deposition counter-designations are attached hereto as **Exhibits B** through **G**. In the excerpted transcripts, Defendants’ proposed deposition designations are highlighted in green, and Black Diamond’s deposition counter-designations are highlighted in yellow.

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Dated: May 25, 2018
Richmond, Virginia

Respectfully submitted,

By : /s/ John H. Maddock III
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CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2018, I filed the foregoing document through CM/ECF, which will send a notice of such filing to all CM/ECF participants, and that I served by email a copy on the following counsel of record in this adversary proceeding:

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EXHIBIT A

Deposition Counter-Designations

Witness	Counter-Designations
Hugo Gravenhorst	18:13-16; 18:18; 19:9-11; 19:18-20:3; 20:7-13; 21:2-6; 32:17-19; 32:21-24; 33:2-3; 44:23-25; 45:2; 45:17-20; 45:22; 49:14-16; 49:19-20; 50:15-23; 71:21-23; 71:25; 72:1-5; 72:7-10; 75:20-23; 75:25-76:5; 76:13-14; 76:17-21; 77:18-20; 77:22; 81:19-20; 81:22-23; 114:20-115:6; 116:18-20; 116:22-25; 127:22; 128:8-16; 155:12-14; 164:12-16; 176:10-11; 185:22-25; 186:16-21; 186:23-25; 187:1-8; 200:8-13; 201:2-6; 201:24-202:1; 202:3-7.
Michael Loreman	6:21-23; 7:3-19; 8:10-13; 8:18-24; 9:13-10:2; 10:4-5; 15:20-24; 16:3; 16:5-10; 16:13-17:2; 17:7-9; 17:11; 17:13-16; 17:19-22; 17:24-18:5; 18:7-10; 20:8-10; 20:13; 20:15-19; 95:24-96:2; 117:22.
Rashid Lattouf	19:4-10; 20:21-21:10; 25:8-9; 25:13-22; 26:1-5; 35:21-36:1; 39:5-10; 40:10-41:11; 53:2-7; 53:9-13; 58:13-14; 61:7-19; 79:9-15; 83:21-25; 87:9-10; 87:12-13; 90:4; 92:9-12; 92:14-25; 93:3-4; 93:6-11; 94:11-13; 94:23-95:3; 112:5-9; 112:11-20; 117:3-9; 117:11-17; 117:19-20; 127:3; 141:17-20; 141:22-25; 143:20; 146:1-2; 146:4-10; 149:12-16; 149:18-22; 150:1-152:18; 152:22-24; 153:7-9; 153:11-154:2; 167:9-11; 167:15-22; 169:5-10; 173:14-174:6; 174:15-17; 178:1-4; 182:22; 186:24-187:24; 190:11-191:1; 196:19-197:21; 198:3-9; 200:23-201:10; 207:6-8; 207:12-25; 208:2-5; 250:7-15; 261:25-262:14; 263:8-20; 280:8-10; 280:12-25; 281:2-8; 281:12-282:1; 282:3-5; 283:19-25; 286:3-8; 286:10-13; 306:7-11; 306:18-307:12; 307:24-25; 308:4-6; 311:22-24; 312:2-7; 312:19-20; 313_2-3; 313:5-6; 313:16-17; 313:19; 320:1-8; 320:11-18; 320:20-321:5; 321:7-10; 321:12-22
Stephen H. Deckoff	47:4-49:1; 52:5-53:17; 54:23-55:9; 72:19-24; 73:23-74:2; 76:20-77:2; 94:6-19; 113:13-114:19; 115:19-22; 115:24-116:17; 134:15-16; 160:1-19; 162:12-16; 162:18-163:8; 168:14-16; 176:14-16; 183:24-184:3; 184:17-18; 190:11-191:13; 192:20-193:6; 205:13-206:2; 207:14-20; 208:13-16; 208:18-209:17; 209:20-210:8; 211:8-212:13; 215:5-6; 215:19-216:14; 221:9-16; 221:18-22; 223:3-19; 224:21-24; 225:13-226:21; 231:6-12; 232:19-234:3; 234:6-7; 234:9-235:24; 236:1-24; 237:9-25; 240:16-25; 246:1-3; 246:8-247:2; 248:21-249:1; 250:21-251:12; 254:20-255:3; 255:22-25; 256:23-25; 258:2-5; 269:7-270:4; 271:21-272:19; 272:21-273:3; 273:5-19; 277:2-7; 278:5-12; 279:4-9; 281:8-13; 288:18-19; 291:12-15; 291:17-292:1; 292:3-14; 292:16-293:4; 293:22-294:3; 297:3-5; 297:7-13; 298:14-23; 300:18-302:17; 305:2-7; 305:9-21; 310:22-311:9; 316:20-317:1; 319:15-320:1; 320:3-10; 325:4-9; 325:11-326:5; 331:4-10; 335:16-18; 337:23-338; 338:25-339:3; 343:14-17; 372:3-10; 372:20; 373:7-14; 374:18-19; 376:1-3; 392:9-393:2; 399:20-400:5; 403:15; 404:21-405:8; 407:4-5; 408:23-409:10.

Richard Ehrlich (Vol. I)	43:8-19; 90:3-4; 92:3-7; 151:10-16; 157:3; 165:20-23; 183:14-20; 184:2-7; 184:14-185:16; 192:8-18; 205:7-15; 207:2-9; 218:20-220:3; 221:7-222:6; 222:8; 225:3-15; 228:2; 229:7-13; 270:17-24; 278:10-13; 278:17-19; 278:21-279:24; 287:23-288:13; 292:20-22; 292:24-25; 295:3-23; 301:22-302:5; 304:10-23; 308:8-21; 315:10; 317:4-11; 318:14-19; 334:13-14; 334:17-18; 336:2; 340:13-16; 356:20-357:2.
Richard Ehrlich (Vol. II)	413:6; 420:6-10; 423:16-17; 427:15-18; 444:22-445:2; 449:16-23; 457:18-20; 458:10-12; 459:9-20; 461:19-463:17; 464:15-24; 467:22-24; 468:9-469:7; 469:14-16; 469:18; 483:15; 484:4-17; 487:15-488:15; 488:17; 492:3-8; 500:7-10; 505:10-25.

EXHIBIT B

FILED UNDER SEAL

EXHIBIT C

FILED UNDER SEAL

EXHIBIT D

FILED UNDER SEAL

EXHIBIT E

FILED UNDER SEAL

EXHIBIT F

FILED UNDER SEAL

EXHIBIT G

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